

INFORMATION ABOUT UNEMPLOYMENT INSURANCE FOR EMPLOYERS

TAX REPORTING AND LIABILITY



The Employment Security Law and the Rules of the Georgia Department of Labor require employers to submit true and accurate information to the department.

What is Unemployment Insurance?

Unemployment Insurance (UI) provides temporary income to replace a portion of wages lost by workers who have lost their jobs through no fault of their own. Employers pay for unemployment insurance as a business cost through the State Unemployment Tax Act (SUTA) and the Federal Unemployment Tax Act (FUTA).

How do I set up an Account?

Employers doing business in the state of Georgia must complete an Employer Status Report, Form DOL-1A. This form is available electronically at www.dol.state.ga.us or by contacting the Adjudication Section at 404.232.3301.

Who is liable for unemployment tax?

- A private business with at least one worker in 20 different calendar weeks during a calendar year or with a payroll of at least \$1,500 in any calendar quarter
- An employer who acquired all or substantially all of a liable business in Georgia
- A 501(c)(3) non-profit organization with at least four workers in 20 different weeks during a calendar year. (An officer or director must be included in this count if they perform any services, paid or unpaid.)
- An agricultural employer who has 10 or more workers on any day during 20 different weeks in a calendar year, or with \$20,000 or more in gross payroll for any calendar quarter
- An employer with domestic employment in a private home, college club, fraternity or sorority with a payroll of at least \$1,000 in any calendar quarter (Domestic employers file their tax and wage reports annually.)
- An employee leasing company or temporary help contracting firm that supplies individuals to perform services for clients or customers
- If approved by the Commissioner, an employer voluntarily choosing coverage not required by law
- An employer liable for FUTA

Who is an employee?

A full-time or part-time worker as defined by the Employment Security Law and the Rules of the Georgia Department of Labor or an officer of a corporation (including sub-chapter S corporations) performing services.

Who is not an employee?

- A sole proprietor in the operation of his or her own business
- The spouse, parent or child (under the age of 21) of a sole proprietor
- Partners, if the business is operated under a partnership
- Employees of a church or religious order, or certain church-related schools
- Insurance agents or solicitors and real estate sales agents paid solely by commission
- Students, if the employment is a recognized part of a program which combines academic instruction with work experience
- Individuals performing services for a hospital in a clinical training program for a period of one year immediately following the completion of a four-year course in a medical school chartered and approved pursuant to state law
- Workers hired for casual labor not in the usual course of business, unless the cash remuneration is \$50.00 or more in any calendar quarter
- Student nurses in the employ of a hospital or nurses training school
- Patients performing services in a hospital
- Newspaper carriers under 18 years of age
- An independent contractor who meets the following condition(s):
 - I. The worker has been and will continue to be free from control or direction over the performance of services, both under the contract of service and in fact; and, such individual is customarily engaged in an independently established trade, occupation, profession or business
or
 2. The worker and the services performed for wages are the subject of an SS-8 determination by the Internal Revenue Service which decided against employee status.

Other employment may be exempt under the law. Specific questions regarding coverage should be directed to the Adjudication Section at 404.232.3301.

What are wages?

Wages include all remuneration for personal services, including commissions and bonuses, and the cash value of all remuneration paid in any medium other than cash. The reasonable cash value of remuneration in any medium other than cash shall be estimated and determined by the Commissioner in accordance with the Employment Security Law.

Taxable Wage Base and Tax Rate

Employers are liable to pay UI Tax or UI Contributions on wages paid to employees subject to statutory coverage.

The taxable wage base is the maximum amount on which an employer must pay taxes for each employee. The taxable wage base in Georgia increased from \$8,500 to \$9,500 beginning 2013.

A Tax Rate Notice, Form DOL-626, is mailed each year to all active employers indicating the tax rate for the following year. Newly liable employers are assigned a beginning tax rate of 2.70%.

Tax rate calculations consider the history of both unemployment insurance contributions and benefits paid to former workers, growth of an employer's payroll and the overall unemployment conditions for the state. Employers that fail to receive a Tax Rate Notice or have questions about a tax rate should contact the Rate Unit at 404.232.3300.

SUTA Dumping

SUTA Dumping is the name for a broad group of tax avoidance practices sometimes used by employers to improperly and quickly reduce their unemployment tax rates. SUTA Dumping improperly shifts the cost of providing unemployment compensation from the SUTA Dumping employer to all other employers in the state. Additional information regarding SUTA Dumping regulations can be obtained from our website at www.dol.state.ga.us.

Reporting Taxes and Wages

The Employer's Quarterly Tax and Wage Report, Form DOL-4 Parts I and II, is available on the Department's web site www.dol.state.ga.us or by contacting Employer Accounts at 404.232.3220. All employers are encouraged to file their quarterly Tax and Wage Reports and pay their taxes online.

Domestic Employers must file an annual report (Form DOL-4A) by January 31st of the following year.

Address changes are required by law to be reported to the Department immediately and may be updated on the Department's web site.

The Employer's Quarterly Tax and Wage Report and total payment of tax due must be submitted within a month after the quarter ending date. (i.e April 30th, July 31st, October 31st, and January 31st). A penalty is imposed for late filing of the report, and interest is charged for unpaid taxes. Penalty is assessed at the greater of .05% of total wages for the tax period or \$20 per month or fraction of a month that reports are delinquent. Interest is charged on unpaid tax at 1½% per month or fraction of a month from the due date until payment is received.

Suggestions when submitting reports:

- Go to www.dol.state.ga.us, Employers tab, then select Forms and Publications, click on Employer's Quarterly Tax and Wage Report - DOL 4N to complete the PDF form, Part I and Part II. Mail the original.
- Payroll listing and additional pages on Part I of the DOL-4 should follow the format indicated
- Use standard 8 1/2" x 11" paper when printing the form for mailing
- Submit accurate and complete social security numbers for all employees
- Check your calculation of taxes
- Use total tax rate, which includes the Administrative Assessment portion of the tax rate
- Provide correct Federal ID information

NOTE: This information is intended to help employers meet responsibilities under the law. It does not have the effect of law or regulations. It does not cover all applications of the law or answer all questions. Employers can call the Employer Accounts Unit at 404.232.3220 with questions or comments.

Any employer interested in reporting by magnetic media can visit our web site at www.dol.state.ga.us to obtain specifications. Employers can also contact the Magnetic Media Unit at 404.232.3265 for questions regarding reporting by magnetic media.

Employers with more than 100 employees are required to submit quarterly reports by magnetic media, unless filing via Internet. Employers do not need to submit a paper copy of their tax and wage reports if they file via Internet or via Magnetic Media.

The Georgia Department of Labor offers the following resources online:

- Information on unemployment taxes & benefits
- Information on how employers can protect their tax experience rate
- Information to determine if an employer is exempt from paying UI taxes
- Information on filing tax & wage reports
- Information on making payments online via ACH or by credit/debit cards
- Assistance concerning a layoff or plant closure
- Information on filing partial unemployment insurance claims
- How to obtain information about an employment issue
- How to recruit new employees
- Information on tax credits & incentives
- Labor Market Information
- Locating workforce & business development resources
- Information on the Workforce Investment Act
- Child Labor information